

MAGISTRATE JUDGE J. KELLEY ARNOLD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TERRY C. FOSTER,

Defendant.

NO. CR 04-5044 JKA

ORDER ON STIPULATED MOTION TO
CONTINUE THE TRIAL DATE

THE COURT having considered the stipulation of the parties, and the records and files herein, hereby makes the following findings:

1. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective case preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

2. The Court further finds the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to ensure effective trial preparation and that these factors outweigh the best interests of the public in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

IT IS THEREFORE ORDERED that the trial date is extended from August 1, 2005 to August 10, 2005 at 1:30 p.m.

1 IT IS FURTHER ORDERED that the time period between August 1, 2005 to August 10,
2 2005, is excludable time, pursuant to 18 U.S.C. § 3161(h)(8)(A), for the purposes of computing
3 the time limitations imposed by the Speedy Trial Act, 18 U.S.C. § 3161-3174.

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5 DONE this 25th day of July, 2005.

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8 /s/ J. Kelley Arnold
9 J. KELLEY ARNOLD
UNITED STATES MAGISTRATE JUDGE

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11 Presented by:

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